

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Li et al.

Docket No.: 275.00030103

Title: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF FENE EXPRESSION
USING DOUBLE STRANDED RNA

Commissioner for Patents
Mail Stop PATENT APPLICATION
P.O. Box 1450
Alexandria, VA 22313-1450



We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

☒ UTILITY PATENT APPLICATION including:

☒ Specification (51 consecutively numbered pgs, including 131 claims on 13 consecutively numbered pgs and a 1 pg Abstract);

☒ Drawings (8 sheets);

☒ A signed Declaration and Power of Attorney (8 pgs).

☒ Application Data Sheet (3 pgs).

☒ An itemized return postcard.

☒ Request for Filing a Continuation Application under Rule § 1.53(b) (3 pgs.);

☒ Preliminary Amendment (3 pgs.);

☒ Request for Transfer of Computer Readable Form of Sequence Listing (1 pg.); copy of paper copy of "Sequence Listing" as filed in the prior application (8 pgs.);

☒ Communication (8 pgs.);

☒ Please charge Deposit Account No. 13-4895 in the amount of \$2442.00 to pay the filing fee, which is calculated below:

☒ Small Entity Status is entitled to be asserted in the above-identified application.

APPLICATION FILING FEE					
	Number of Pending Claims (1)	Claims Included in Basic Filing Fee (2)	Number of Extra Claims (1-2)	Cost per Extra Claim	Fee Required
Total Claims	156	20	136	x \$9 =	\$1224
Independent Claims	19	3	16	x \$43 =	\$688
One or More Multiple Dependent Claims Presented? If Yes, Enter \$145 Here →					\$145
Enter Basic Filing Fee (Utility Patent-\$385) Here →					\$385
Total Application Filing Fee					\$2442

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

By:

Name: David L. Provence

Reg. No.: 43,022

Direct Dial: 612-305-1005

Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV 201891057 US

Date of Deposit: February 5, 2004

I hereby certify that the Transmittal Letter and the paper(s) and/or fee(s), as described hereinabove, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Name: Rachel Gagliardi-Grabau

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket Number	Anticipated Classification		Prior Application	
275.00030103	Class	Subclass	Examiner K. Lacourciere	Art Unit 1635

REQUEST FOR FILING A CONTINUATION APPLICATION
UNDER RULE §1.53(b)

Commissioner for Patents
Mail Stop PATENT APPLICATION
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation application under 37 CFR §1.53(b) of Serial No. 10/038,984, Confirmation No. 9705, filed on January 4, 2002, entitled COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA, which is a continuation of U.S. Patent Application Serial No. 09/493,301, filed January 28, 2000, which claims benefit to U.S. Provisional Patent Application Serial Nos. 60/117,635, filed January 28, 1999 and 60/175,440, filed January 11, 2000, by the following inventor(s) (name, address, and citizenship):

1. **Yin-Xiong Li**
1011 Hickman Road
Augusta, GA 30904
Citizenship: People's Republic of China

2. **Michael J. Farrell**
7043 Laramie Avenue
Canoga Park, CA 91306
Citizenship: USA

3. **Margaret L. Kirby**
2301 Laurel Lane
Augusta, GA 30904
Citizenship: USA

1. ☐ Enclosed is a copy of the specification (including claims, abstract, and drawings) as filed in the prior application.
2. ☒ Enclosed is a new specification (including claims and abstract). The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.

Filed: Herewith

Title: COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA

3. X Enclosed is a copy of the Declaration and Power of Attorney filed in the prior application.
4. Enclosed is a newly executed Declaration and Power of Attorney.
5. X Enclosed are drawings (sheets).
6. Before calculating the filing fee, cancel in this application claims As described in the attached Preliminary Amendment. (At least one independent claim must be retained for filing purposes.)
7. X A preliminary amendment is enclosed.
8. X The filing fee is calculated below:

CLAIMS AS FILED			
NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$385
Total Claims 156-20 =	136	\$9	\$1224
Independent Claims 19-3 =	16	\$43	\$688
MULTIPLE DEPENDENT CLAIM PRESENTED		\$145	\$145
FILING FEE:			\$2442

9. X Please charge Deposit Account No. 13-4895 in the amount of \$2442.00 for the filing fee.
10. X The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-4895.
11. This application is being filed by less than all of the inventors named in the prior application. Please delete the names of the following inventor(s) who are not inventors of the invention claimed in the present application:
12. Priority of foreign application Serial No. , filed on in (country) is claimed under 35 U.S.C. §119.
13. X The prior application is assigned of record to Medical College of Georgia Research Institute, Inc.

Filed: Herewith

Title: COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA

14. X The Power of Attorney in the prior application is to:

Victoria A. Sandberg
Mueiting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Customer Number 26813

15. X Small Entity Status is entitled to be asserted in the above-identified application.

16. X Application Data Sheet.

17. X Request for Transfer of Computer Readable Form of Sequence Listing.

Address all future communications to:

MUETING, RAASCH & GEBHARDT, P.A.
P.O. Box 581415
Minneapolis, Minnesota 55458-1415
Customer Number 26813

Attn: David L. Provence
(Telephone: 612-305-1220)
(Facsimile: 612-305-1228)

Date: February 5, 2004

David L. Provence

David L. Provence
Reg. No. 43,022
Direct Dial (612)305-1005

"Express Mail" mailing label number: EV 201891057 US

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I hereby certify that the Transmittal Letter and the paper(s) and/or fee(s), as described hereinabove, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313-1450.

Rachel Gayle Gebhardt
Name: Rachel Gayle Gebhardt - Grabau

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Li et al.)	Group Art Unit:	Unknown
)		
Serial No.: Unassigned)	Examiner:	Unknown
(Parent: 09/493,301))		
)		
Filed: Herewith)		
(Parent: January 28, 2000))		

For: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO*
ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED
RNA

COMMUNICATION

Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Continuation Application filed herewith includes claims that claim substantially the same subject matter as, or that were copied from, published U.S. patent applications having the following serial numbers: 10/150,426; 10/055,797; 09/858,862; 10/301,516; 10/288,230; 10/283,190; 10/282,996; 10/283,267; and 10/440,983. The following tables correlate the claim numbers of the newly presented claims with the claim numbers of the claims that were copied from the indicated published patent applications.

Communication

Page 2 of 8

Applicant(s): Li et al.

Serial No. Unassigned

Filed: Herewith

Title: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF FENE EXPRESSION USING DOUBLE STRANDED RNA

United States Patent Application Serial No. 10/150,426

Applicant: Zernicka-Goetz et al.

Filed: May 17, 2002

Publication No. US 2003/0027783 A1

Publication Date: February 6, 2003

Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim
1	1	6	6	11	12
2	2	7	7	12	14
3	3	8	8	13	16
4	4	9	10	14	17
5	5	10	11	15	24

Communication

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Applicant(s): Li et al.

Serial No. Unassigned

Filed: Herewith

Title: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF FENE EXPRESSION USING DOUBLE STRANDED RNA

United States Patent Application Serial No. 10/055,797

Applicant: Beach et al.

Filed: January 22, 2002

Publication No. US 2003/0084471 A1

Publication Date: May 1, 2003

Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim
16	1	25	19	34	38
17	2	26	20	35	39
18	3	27	25	36	40
19	4	28	26	37	41
20	5	29	27	38	42
21	14	30	34	39	43
22	15	31	35	40	44
23	17	32	36	41	45
24	18	33	37	42	46
				43	47

Communication

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Applicant(s): Li et al.

Serial No. Unassigned

Filed: Herewith

Title: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF FENE EXPRESSION USING DOUBLE STRANDED RNA

United States Patent Application Serial No. 09/858,862

Applicant: Beach et al.

Filed: May 16, 2001

Publication No. US 2004/0018999 A1

Publication Date: January 29, 2004

Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim
44	1	47	12	50	15
45	9	48	13	51	20
46	10	49	14	52	21
				53	22

United States Patent Application Serial No. 10/301,516

Applicant: Shi et al.

Filed: November 21, 2002

Publication No. US 2003/0180756 A1

Publication Date: September 25, 2003

Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim
54	1	61	9	68	25
55	2	62	11	69	41
56	4	63	20	70	43
57	5	64	21	71	45
58	6	65	22	72	47
59	7	66	23	73	55
60	8	67	24	74	59
				75	61

Communication

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Applicant(s): Li et al.

Serial No. Unassigned

Filed: Herewith

Title: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF FENE EXPRESSION USING DOUBLE STRANDED RNA

United States Patent Application Serial No. 10/288,230

Applicant: Davis et al.

Filed: November 4, 2002

Publication No. US 2003/0157030 A1

Publication Date: August 21, 2003

Newly Presented Claim	Corresponding Claim		Newly Presented Claim	Corresponding Claim		Newly Presented Claim	Corresponding Claim
76	120		79	123		83	127
77	121		80	124		84	210
78	122		81	125		85	211
			82	126		86	212

United States Patent Application Serial No. 10/283,190

Applicant: Fire et al.

Filed: October 30, 2002

Publication No. US 2003/0051263 A1

Publication Date: March 13, 2003

United States Patent Application Serial No. 10/282,996

Applicant: Fire et al.

Filed: October 30, 2002

Publication No. US 2003/0056235 A1

Publication Date: March 20, 2003

Communication

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Applicant(s): Li et al.

Serial No. Unassigned

Filed: Herewith

Title: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF FENE EXPRESSION USING DOUBLE STRANDED RNA

United States Patent Application Serial No. 10/283,267

Applicant: Fire et al.

Filed: October 30, 2002

Publication No. US 2003/0055020 A1

Publication Date: March 20, 2003

Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim	Newly Presented Claim	Corresponding Claim
87	1	98	12	109	23
88	2	99	13	110	24
89	3	100	14	111	25
90	4	101	15	112	26
91	5	102	16	113	28
92	6	103	17	114	29
93	7	104	18	115	30
94	8	105	19	116	31
95	9	106	20	117	32
96	10	107	21	118	33
97	11	108	22	119	34

Communication

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Applicant(s): Li et al.

Serial No. Unassigned

Filed: Herewith

Title: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF FENE EXPRESSION USING DOUBLE STRANDED RNA

United States Patent Application Serial No. 10/440,983

Applicant: Lewis et al.

Filed: May 19, 2003

Publication No. US 2003/0228691 A1

Publication Date: December 11, 2003

Newly Presented Claim	Corresponding Claim		Newly Presented Claim	Corresponding Claim		Newly Presented Claim	Corresponding Claim
120	1		124	7		128	11
121	2		125	8		129	12
122	3		126	9		130	13
123	6		127	10		131	14

Communication

Page 8 of 8

Applicant(s): Li et al.

Serial No.: Unassigned

Filed: Herewith

For: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA

The Examiner is invited to contact Applicants' Representatives at the below-listed telephone number, if they can be of any assistance during prosecution of the present application.

CERTIFICATE UNDER 37 C.F.R. 1.10:

The undersigned hereby certifies that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated below and is addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.


Name: Rachel Gagliardi Grabau

"Express Mail" mailing label number:

EV 201891057 US

Date of Deposit: February 5, 2004

February 5, 2004
Date

Respectfully submitted for
Li et al.

By

Mueiting, Raasch & Gebhardt, P.A.

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